



4ep & Ref

In re Application of:

Hisashi AMAYA et al.

Serial No.: 10/798,855

Filed: 03/12/2004

For: MARTENSITIC STAINLESS STEEL

Art Unit: 1742

Examiner: Alexander, Michael P. OFFICE

Docket No.: 12054-0024

**REQUEST FOR REFUND**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

September 8, 2006

Sir:

Applicant hereby requests a refund in the amount of \$180.00 for the following reasons: An Information Disclosure Statement was filed on April 24, 2006 disclosing prior art cited in a Chinese office action corresponding with the above mentioned application.

The mailing date of the office action is January 27, 2006, which is clear in the attached translation of the office action. The undersigned's Deposit Account No. 50-1088 was erroneously charged \$180.00 on June 7, 2006 (copy of June 2006 deposit account statement attached showing said charge).

Since the Information Disclosure Statement was timely filed within three months of the date of the action, it is respectfully requested that the \$180.00 IDS charged be credited to Deposit Account 50-1088.

Respectfully submitted  
CLARK & BRODY

Christopher W. Brody  
Reg. No. 33,613

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# State Intellectual Property Office of People's Republic of China

Add: 15/F., Bldg.B, Tsinghua Tongfang Hi-Tech Plaza, No.1, Wangzhuang Rd.,  
Haidian District, Beijing, P. R. China, Postal Code: 100083

Applicant	Sumitomo Metal Industries, Ltd.	Issuing Date:
Patent Agent	Chunqi LIU	January 27, 2006
Application No.	02820793.9	
Title of Invention	MARTENSITIC STAINLESS STEEL	

## FIRST OFFICE ACTION

(For PCT Application Entering the National Phase)

- ☒ The applicant has filed a request for substantive examination on \_\_\_\_\_ (day/month/year). The examiner has carried out substantive examination on the above mentioned patent application for invention in accordance with the provisions of Article 35(1) of the Chinese Patent Law.  
☐ The Patent Office has decided to carry out a substantive examination on the above mentioned patent application for invention in accordance with the provisions of Article 35(2) of the Chinese Patent Law.
- ☒ The applicant claimed:  
The filing date 2001.10.18 in the Japan Patent Office as the priority date,  
The filing date 2002.7.30 in the Japan Patent Office as the priority date, and  
The filing date \_\_\_\_\_ in the \_\_\_\_\_ Patent Office as the priority date.
- ☐ The following amended document(s) submitted by the applicant is: (are) unacceptable, as the document(s) is(are) not in conformity with the provisions of Article 33 of the Chinese Patent Law:  
☐ The Chinese translation of the annexes of the International Preliminary Examination Report,  
☐ The Chinese translation of the amendment submitted under Article 19 of the Patent Cooperation Treaty,  
☐ The Chinese translation of the amendment submitted under Article 28 or 41 of the Patent Cooperation Treaty,  
☐ The amendment submitted in accordance with Rule 51 of the Implementing Regulations of the Chinese Patent Law.  
The detailed reasons for the amendments being unacceptable is described in the text of this office action.
- ☐ The examination was carried out based on the Chinese translation of the international application as originally filed.  
☒ The examination was carried out on the basis of the following application documents:  
☒ The description  
Pages 1-3, 6-7, 10-17 the Chinese translation of the international application as originally filed;  
Pages \_\_\_\_\_ the Chinese translation of the annexes of the International Preliminary Examination Report;  
Pages 4, 9 the Chinese translation of the amendment submitted under Article 28 or 41 of the Patent Cooperation Treaty;



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**Deposit Account Statement**

Requested Statement Month: June 2006  
 Deposit Account Number: 501088  
 Name: CLARK & BRODY  
 Attention: CHRIS BRODY  
 Address: 1090 VERMONT AVENUE, N.W.  
 City: WASHINGTON  
 State: DC  
 Zip: 20005  
 Country: UNITED STATES

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
06/02	33	78728686	12148-0002	6001	\$375.00	\$1,273.00
06/05	56	E-REPLENISHMENT		9203	-\$2,000.00	\$3,273.00
06/07	3	10798855	12054-0024	1806	\$180.00	\$3,093.00
06/09	7	10473773	71247-0011	2251	\$60.00	\$3,033.00
06/13	3	10969964	11034-0020C	2255	\$1,080.00	\$1,953.00
06/14	4	E-REPLENISHMENT		9203	-\$1,000.00	\$2,953.00
06/14	38	E-REPLENISHMENT		9203	-\$2,000.00	\$4,953.00
06/14	91	11451381		9204	-\$100.00	\$5,053.00
06/15	16	10319696	12007-0021	2251	\$60.00	\$4,993.00
06/15	41	10319696	12007-0021	2801	\$395.00	\$4,598.00
06/20	4	11019245	12014-0031	1801	\$790.00	\$3,808.00
06/20	8	10275718	12054-0005	1801	\$790.00	\$3,018.00
06/20	9	10275718	12054-0005	1251	\$120.00	\$2,898.00
06/20	20	11002669	12065-0006DV	1201	\$200.00	\$2,698.00
06/23	9	09986956	11017-0006	2251	-\$60.00	\$2,758.00
		START BALANCE	SUM OF CHARGES	SUM OF REPLENISH	END BALANCE	
		\$1,648.00	\$4,050.00	\$5,160.00	\$2,758.00	

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